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EXAMINER	
HERRERA, DIEGO D	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/777,660	REIDELSTURZ ET AL.	
	Examiner	Art Unit	
	DIEGO HERRERA	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 January 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-55* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claims 47-49 and 51 have been cancelled.

Response to Arguments

Applicant's arguments with respect to claims 1-55 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1- 23, 28-45, and 52-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling et al. (US 20070155406 A1), and in view of Baker et al. (US 20050197155 A1).

Regarding claim 1. Dowling et al. discloses an apparatus cellular receiver device (abstract, fig. 1 [105], ¶: 15, Dowling et al. teaches apparatus mobile

device), comprising:

a cellular receiver configured to enable receipt of data from a data source of a cellular network domain (abstract, fig. 1, ¶: 6, 7, 9, 39, Dowling et al. teaches cellular receiver receiving data from network); and

a radio broadcast access unit configured to provide conditional access to a digital radio broadcast data channel to enable receipt of said data from said data source via said digital radio broadcast data channel (abstract, title, fig. 1, 2; ¶: 32, 34, 36, Dowling et al. teaches radio broadcast access unit to several services), however, Dowling et al. does not discloses specifically data can be received outside the coverage of said cellular network domain using said broadcast channel and a cellular channel in an alternative way, nevertheless, Baker et al. teaches preserving standard external interfaces both in dedicated broadband connections and cellular network domain (abstract, fig. 2, 3, 7; ¶: 24, 27-29, 53-58, 74-76, Baker et al. teaches broadcast channel and cellular channel in an alternative way outside the coverage of mobile device). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include the receiving data from cellular domain by using broadcast channel and cellular channel alternatively, as taught by Baker et al. for the purposes of minimizing interference and achieve optimal performance (abstract).

Regarding claim 52. Dowling et al. discloses an apparatus (abstract, fig. 1 [105], ¶: 15, Dowling et al. teaches apparatus mobile device), comprising:

cellular receiving means for enabling receipt of data from a data source via a cellular network domain (abstract, fig. 1, ¶: 6, 7, 9, 39, Dowling et al. teaches

cellular receiver receiving data from network); and

radio broadcast access means for providing conditional access to said data source via a digital radio broadcast data channel to enable receipt of said data via said digital radio broadcast data channel (abstract, title, fig. 1, 2; ¶: 32, 34, 36, Dowling et al. teaches radio broadcast access unit to several services), however, Dowling et al. does not discloses specifically data can be received outside the coverage of said cellular network domain using said broadcast channel and a cellular channel in an alternative way, nevertheless, Baker et al. teaches preserving standard external interfaces both in dedicated broadband connections and cellular network domain (abstract, fig. 2, 3, 7; ¶: 24, 27-29, 53-58, 74-76, Baker et al. teaches broadcast channel and cellular channel in an alternative way outside the coverage of mobile device). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include the receiving data from cellular domain by using broadcast channel and cellular channel alternatively, as taught by Baker et al. for the purposes of minimizing interference and achieve optimal performance (abstract).

Regarding claim 20. Dowling et al. discloses a server device (fig. 1, abstract, title, ¶: 31, Dowling et al. teaches several types of servers), comprising:

a gateway configured to receive data from an external data source and to map a destination address of received data to a mobile subscriber identity (¶: 51-56, 58, Dowling et al. teaches communication of information such as a destination address from the internet to a mobile device through broadcast means, hence, a gateway, second connection mention in Dowling); and

an adder configured to add said mobile subscriber identity to said received data (¶: 51-56, 58, Dowling et al. teaches communication of information such as a destination address from the internet to a mobile device through broadcast means), and to put said received data with said mobile subscriber identity to a data stream to be broadcast via a digital radio broadcast channel (abstract, title, fig. 1, 2; ¶: 32, 34, 36, Dowling et al. teaches radio broadcast access unit to several services), however, Dowling et al. does not discloses specifically data can be received outside the coverage of said cellular network domain using said broadcast channel and a cellular channel in an alternative way, nevertheless, Baker et al. teaches preserving standard external interfaces both in dedicated broadband connections and cellular network domain (abstract, fig. 2, 3, 7; ¶: 24, 27-29, 53-58, 74-76, Baker et al. teaches broadcast channel and cellular channel in an alternative way outside the coverage of mobile device). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include the receiving data from cellular domain by using broadcast channel and cellular channel alternatively, as taught by Baker et al. for the purposes of minimizing interference and achieve optimal performance (abstract).

Regarding claim 41. A gateway device configured to provide a connection between a cellular network and a digital radio broadcast domain (abstract, fig. 1, ¶: 6, 7, 9, 32, 34, 36-39, Dowling et al. teaches cellular receiver receiving data from network and broadcast domain), configured to encrypt data received from said cellular network to be forwarded to a mobile device (¶: 74, Dowling et al.

teaches encryption methods for packets of user-interest), and configured to forward said encrypted data to said digital radio broadcast domain based on a conditional access scheme(¶: 74, Dowling et al. teaches encryption methods for packets of user-interest), however, Dowling et al. does not discloses specifically data can be received outside the coverage of said cellular network domain using said broadcast channel and a cellular channel in an alternative way, nevertheless, Baker et al. teaches preserving standard external interfaces both in dedicated broadband connections and cellular network domain (abstract, fig. 2, 3, 7; ¶: 24, 27-29, 53-58, 74-76, Baker et al. teaches broadcast channel and cellular channel in an alternative way outside the coverage of mobile device). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include the receiving data from cellular domain by using broadcast channel and cellular channel alternatively, as taught by Baker et al. for the purposes of minimizing interference and achieve optimal performance (abstract).

Regarding claim 45. A system, comprising:

a cellular receiver device configured to receive data from a data source (abstract, fig. 1, ¶: 6, 7, 9, 39, Dowling et al. teaches cellular receiver receiving data from network), said cellular receiving device comprising a cellular receiver configured to enable receipt of said data from said data source via a cellular network domain (abstract, fig. 1, ¶: 6, 7, 9, 39, Dowling et al. teaches cellular receiver receiving data from network), and a radio broadcast access unit configured to provide conditional access to a digital radio broadcast data channel to enable receipt of

said data from said data source via said digital radio broadcast data channel (abstract, fig. 1, ¶: 6, 7, 9, 39, Dowling et al. teaches cellular receiver receiving data from network);

a server device configured to provide a data service to a mobile device (fig. 1, ¶: 31-34, 36-39, 55, Dowling et al. teaches communication server, virtual session server and network server which all provide service to mobile device in different facets), said server device comprising a gateway configured to receive data from said data source and for mapping a destination address of received data to a mobile subscriber identity (¶: 37-39, 41-42, 44, Dowling et al. teaches having server means gateway between the cellular and broadcast by controller), and an adder configured to add said mobile subscriber identity to said received data (¶: 45-51, Dowling et al. teaches encoding packet data with address of mobile device destination and transmitting to the mobile device), and to put said received data with said mobile subscriber identity to a data stream to be broadcast via said digital radio broadcast channel (¶: 48, 51-56, 58, Dowling et al. teaches sending web pages to mobile device by broadcasting packet stream containing application data through broadcast channel); and

a gateway device configured to provide a connection between a cellular network and a digital radio broadcast domain (fig.1, abstract, Dowling et al.), said gateway device being configured to encrypt data received from said cellular network to be forwarded to said mobile device (¶: 45-51, Dowling et al. teaches encoding packet data with address of mobile device destination and transmitting to the mobile device), and to forward said encrypted data to said digital radio

broadcast domain based on a conditional access scheme (¶: 48, 51-56, 58, Dowling et al. teaches sending web pages to mobile device by broadcasting packet stream containing application data), however, Dowling et al. does not discloses specifically data can be received outside the coverage of said cellular network domain using said broadcast channel and a cellular channel in an alternative way, nevertheless, Baker et al. teaches preserving standard external interfaces both in dedicated broadband connections and cellular network domain (abstract, fig. 2, 3, 7; ¶: 24, 27-29, 53-58, 74-76, Baker et al. teaches broadcast channel and cellular channel in an alternative way outside the coverage of mobile device). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include the receiving data from cellular domain by using broadcast channel and cellular channel alternatively, as taught by Baker et al. for the purposes of minimizing interference and achieve optimal performance (abstract).

Regarding claim 53. A server device, comprising:

gateway means for receiving data from an external data source and for mapping a destination address of received data to a mobile subscriber identity (¶: 37-39, 41-42, 44, Dowling et al. teaches having server means gateway between the cellular and broadcast by controller), and

adding means for adding said mobile subscriber identity to said received data (¶: 45-51, Dowling et al. teaches encoding packet data with address of mobile

device destination and transmitting to the mobile device), and for putting said received data with said mobile subscriber identity to a data stream to be broadcast via a digital radio broadcast channel to provide data service to a mobile device (¶: 48, 51-56, 58, Dowling et al. teaches sending web pages to mobile device by broadcasting packet stream containing application data through broadcast channel), however, Dowling et al. does not discloses specifically data can be received outside the coverage of said cellular network domain using said broadcast channel and a cellular channel in an alternative way, nevertheless, Baker et al. teaches preserving standard external interfaces both in dedicated broadband connections and cellular network domain (abstract, fig. 2, 3, 7; ¶: 24, 27-29, 53-58, 74-76, Baker et al. teaches broadcast channel and cellular channel in an alternative way outside the coverage of mobile device). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include the receiving data from cellular domain by using broadcast channel and cellular channel alternatively, as taught by Baker et al. for the purposes of minimizing interference and achieve optimal performance (abstract).

Regarding claim 54. A gateway device comprising:

providing means for providing a connection between a cellular network and a digital radio broadcast domain (fig. 1, ¶: 31-34, Dowling et al. describes gateway between cellular network and radio broadcast);

encrypting means for encrypting data received from said cellular network to be forwarded to a mobile device (¶: 74, Dowling et al. teaches key encryption

schemes) and

forwarding means for forwarding said encrypted data to said digital radio broadcast domain based on a conditional access scheme (¶: 48, 51-56, 58, Dowling et al. teaches sending web pages to mobile device by broadcasting packet stream containing application data), however, Dowling et al. does not discloses specifically data can be received outside the coverage of said cellular network domain using said broadcast channel and a cellular channel in an alternative way, nevertheless, Baker et al. teaches preserving standard external interfaces both in dedicated broadband connections and cellular network domain (abstract, fig. 2, 3, 7; ¶: 24, 27-29, 53-58, 74-76, Baker et al. teaches broadcast channel and cellular channel in an alternative way outside the coverage of mobile device). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include the receiving data from cellular domain by using broadcast channel and cellular channel alternatively, as taught by Baker et al. for the purposes of minimizing interference and achieve optimal performance (abstract).

Regarding claim 55. A system, comprising:

cellular receiver means for receiving data from a data source (abstract, fig. 1, ¶: 6, 7, 9, 39, Dowling et al. teaches cellular receiver receiving data from network), said cellular receiving means comprising cellular receiving means for enabling receipt of said data from said data source via a cellular network domain(abstract, fig. 1, ¶: 6, 7, 9, 39, Dowling et al. teaches cellular receiver receiving data from network), and radio broadcast access means for providing conditional access to

a digital radio broadcast data channel to enable receipt of said data from said data source via said digital radio broadcast data channel(¶: 48, 51-56, 58, Dowling et al. teaches sending web pages to mobile device by broadcasting packet stream containing application data through broadcast channel);
server means for providing a data service to a mobile device (fig. 1, ¶: 31-34, 36-39, 55, Dowling et al. teaches communication server, virtual session server and network server which all provide service to mobile device in different facets), said server means comprising gateway means for receiving data from said data source and for mapping a destination address of received data to a mobile subscriber identity (¶: 37-39, 41-42, 44, Dowling et al. teaches having server means gateway between the cellular and broadcast by controller), and adding means for adding said mobile subscriber identity to said received data (¶: 45-51, Dowling et al. teaches encoding packet data with address of mobile device destination and transmitting to the mobile device), and for putting said received data with said mobile subscriber identity to a data stream to be broadcast via said digital radio broadcast channel (¶: 45-51, Dowling et al. teaches sending information packet data through broadcast channel); and
gateway means for providing a connection between a cellular network and a digital radio broadcast domain (fig. 1, abstract, Dowling et al.), said gateway means being configured to encrypt data received from said cellular network to be forwarded to said mobile device (¶: 37-39, 41-42, 44, Dowling et al. teaches having server means gateway between the cellular and broadcast by controller), and to forward said encrypted data to said digital radio broadcast domain based

on a conditional access scheme (¶: 45-51, Dowling et al. teaches sending information packet data through broadcast channel), however, Dowling et al. does not discloses specifically data can be received outside the coverage of said cellular network domain using said broadcast channel and a cellular channel in an alternative way, nevertheless, Baker et al. teaches preserving standard external interfaces both in dedicated broadband connections and cellular network domain (abstract, fig. 2, 3, 7; ¶: 24, 27-29, 53-58, 74-76, Baker et al. teaches broadcast channel and cellular channel in an alternative way outside the coverage of mobile device). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include the receiving data from cellular domain by using broadcast channel and cellular channel alternatively, as taught by Baker et al. for the purposes of minimizing interference and achieve optimal performance (abstract).

Consider claim 2. An apparatus receiver device according to claim 1, wherein said radio broadcast access unit comprises at least one of a ciphering function and an access function for realizing said conditional access (¶: 48, Dowling et al. teaches encoding packets when dealing with broadcast data packets).

Consider claim 3. An apparatus receiver device according to claim 2, wherein said at least one of said ciphering and said access function is based on security parameters (¶: 74, Dowling et al. teaches key encryption schemes).

Consider claim 4. An apparatus receiver device according claim 1, wherein said radio broadcast access unit is configured to receive message objects belonging

to a predetermined application identification which indicates said data (¶: 73, Dowling et al. teaches receiving information stored at local broadcast domain entity after user selects packet filter parameters of content desired).

Consider claim 5. An apparatus receiver device according to claim 4, wherein said radio broadcast access unit is configured to extract an unencrypted mobile subscriber identity from a received message object and to compare the unencrypted mobile subscriber identity with a mobile subscriber identity of said radio broadcast access unit (¶: 63, Baker et al. teaches subscribers subscription and operational data stored in database overseen by main controller).

Consider claim 6. An apparatus receiver device according to claim 5, wherein said radio broadcast access unit is configured to extract and decrypt said received message object in response to a comparison result (¶: 86, 87, Baker et al. teaches extract and decryption of MSI).

Consider claim 7. An apparatus receiver device according to claim 6, wherein decryption of said received message is based on latest valid security parameters allocated to said mobile subscriber identity (¶: 86, 87, Baker et al. teaches extract and decryption of MSI up-to date).

Consider claim 8. An apparatus receiver device according to claim 7, wherein said security parameters comprise at least one of a temporary ciphering key and a temporary identity (¶: 85-88, baker et al. teaches temporary registration identities can be created and used).

Consider claim 9. An apparatus receiver device according to claim 4, wherein said radio broadcast access unit is configured to discard said received message

object if said message object has already been received by said cellular receiver (¶: 4, 10-11, 19, 84, Baker et al. teaches multimedia as message object).

Consider claim 10. An apparatus receiver device according to claim 4, wherein said message object is one of a short message service message and a multimedia message service message (¶: 4, 10-11, 19, 84, Baker et al. teaches multimedia as message object).

Consider claim 11. An apparatus receiver device according to claim 1, wherein said digital radio broadcast channel comprising one of a channel of a digital radio mondiale system and a digital audio broadcast system (¶: 4, 9, Dowling et al. teaches AM and FM audio broadcast systems).

Consider claim 12. An apparatus receiver device according to claim 3, further comprising:

a client configured to set up a connection to a server via said cellular network domain so as to obtain new security parameters (¶: 74, Dowling et al. receiving encrypted parameters).

Consider claim 13. An apparatus receiver device according to claim 12, wherein said client is configured to perform a setup each time a predetermined lifetime has elapsed (¶: 7, 31, 34, 37, Dowling et al. teaches session set up with mobile device when is required).

Consider claim 14. An apparatus receiver device according to claim 12, wherein said client comprises a SyncML client (¶: 2, 7, 12, Dowling et al. teaches different applications such as the web browsers and other of the kind, hence, SyncML client can be one of them).

Consider claim 15. An apparatus receiver device according to claim 12, further comprising:

a register configured to store said obtained security parameters (¶: 63, 69, 91, baker et al. teaches security information stored in databases).

Consider claim 16. An apparatus receiver device according to claim 12, wherein said client is configured to use initial security parameters for authentication during a connection setup (¶: 86, Baker et al. teaches mobile subscriber identity to register).

Consider claim 17. An apparatus receiver device according to claim 12, wherein said client is configured to retry connection attempts at regular time intervals, if a previous connection setup has failed (¶: 44, Dowling et al. discloses time intervals).

Consider claim 18. An apparatus receiver device according to claim 12, wherein said client is configured to delete said stored security parameters alter a predetermined lifetime without successful connection attempts has passed (¶: 74, Dowling et al. receiving encrypted parameters).

Consider claim 19. An apparatus receiver device according to claim 1, wherein said radio broadcast access unit comprises a service client configured to enable access to at least one of internet protocol services and email services via said radio broadcast data channel (fig. 1, abstract, Title, Dowling et al. teaches internet services 122).

Consider claim 21. A server device according to claim 20, further comprising:

a queuing unit configured to queue said data stream with said received data in

chronological order (¶: 44, 48, Dowling et al. teaches program used to control the sampling of input and processing by the central processor unit, packets being process by filter parameters, hence, chronological order).

Consider claim 22. A server device according to claim 20, wherein said gateway is configured to encrypt said received data using security parameters (¶: 74, Dowling et al. teaches public key encryption scheme).

Consider claim 23. A server device according to claim 20, wherein said server device is configured to assign said mobile subscriber identity to a mobile device in response to a registration request (¶: 77, baker et al. teaches subscriber mobile identification assignment and authentication).

Consider claim 27. A server device according to claim 21, further comprising: a deleting unit configured to delete said received data from a queued data stream in response to receipt of a recall request (¶: 61-64, Dowling et al. teaches entering a wait loop when interrupt from a user I/O device or from the packet filter is detected).

Consider claim 28. A server device according to claim 20, wherein said received data comprise an email content, wherein said adder is configured to encapsulate said received email content into a radio broadcast packet, and wherein a message identity is added to a header of said radio broadcast packet (¶: 48, 51-56, 58, Dowling et al. teaches sending web pages to mobile device by broadcasting packet stream containing application data).

Consider claim 29. A server device according to claim 20, wherein said received data comprise an IP-internet protocol packet, wherein said adder is

configured to encapsulate said received IP-internet protocol packet into a radio broadcast packet, and wherein a message identity is added to a header of said radio broadcast packet (¶: 48, 51-56, 58, Dowling et al. teaches sending web pages to mobile device by broadcasting packet stream containing application data).

Consider claim 30. A server device according to claim 28, wherein said message identity is derived from a temporary mobile subscriber identity (¶: 86, Baker et al. teaches mobile subscriber identity to register).

Consider claim 31. A server device according to claim 20, wherein said gateway is configured to reject said received data, if a predetermined maximum data size is exceeded (¶: 58-59, Dowling et al. teaches protocol and packet filters services and limits are design and set including data size).

Consider claim 32. A server device according to claim 20, further comprising: a firewall unit configured to filter said received data so as to adhere to predetermined subscription parameters (¶: 94, keywords or other filter information parameters used for packets).

Consider claim 33. A server device according to claim 20, further comprising: a security server configured to enable exchange of security parameters with a mobile device (¶: 74, Dowling et al. teaches public key encryption scheme).

Consider claim 34. A server device according to claim 33, wherein said parameter exchange is based on a SyncML protocol (¶: 2, 7, 12, Dowling et al. teaches different applications such as the web browsers and other of the kind, hence, SyncML client can be one of them, this element is also well known in the

art).

Consider claim 35. A server device according to claim 33, wherein said security parameters comprise at least one of a mobile subscriber identity and a ciphering key (¶: 74, Dowling et al. teaches public key encryption scheme).

Consider claim 36. A server device according to claim 33, further comprising: a security database configured to store security parameters (¶: 63, 69, 91, baker et al. teaches security information stored in databases).

Consider claim 37. A server device according to claim 36, wherein said stored security parameters comprise initial security parameters and temporary security parameters (¶: 24, 77, 86, Baker et al. teaches security parameters and authentications process).

Consider claim 38. A server device according to claim 37, wherein authentication for connection setup to said security server means is based on said initial security parameters (¶: 77, 86, Baker et al. teaches authentication and security parameters).

Consider claim 39. A server device according to claim 37, wherein said security server is configured to generate and store new temporary security parameters in response to a successful connection setup by said mobile device (¶: 24, 66, 77, 89, Baker et al. teaches about storing and generating security parameters set up for mobile device).

Consider claim 40. A server device according to claim 36, wherein said security server is configured to delete said stored security parameters if a predetermined lifetime without successful connection setup has passed (¶: 4,6, 31, 39, 58, 61,

69; Dowling et al. teaches different protocols and related arts that one skilled in the art would recognized as well known. Call set up, registration set up and the like have predetermined rules and parameters that are observe).

Consider claim 42. A gateway device according to claim 41, wherein said conditional access scheme defines a predetermined offline time during which said mobile device has not been in a coverage area of said cellular network, and wherein data forwarding is started after expiry of said offline time (¶: 49-53, 75, 91, baker et al. teaches timer if mobile device is not determined to be in coverage area to receive waiting information).

Consider claim 43. A gateway device according to claim 41, wherein said gateway device is configured to trigger a recall request towards said digital radio broadcast domain if it is detected that said mobile device is in a coverage area of said cellular network (¶: 49-53, 66-69, 70-72, Baker et al. teaches reconfiguration request and processes for mobile devices).

Consider claim 44. A gateway device according to claim 43, wherein said gateway device is configured to detect, based on a subscriber database query, whether said mobile device is in the coverage area (¶: 24, 49, 69-71, baker et al. teaches monitoring of mobile device determining mobility and other parameters to determine mobile devices location whether it is in coverage area or roaming).

Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling et al., and in view of Baker et al., and further in view of Risto (EP 0804012 A2).

Consider claim 46, Dowling et al. and Baker et al. does not discloses wherein said conditional access scheme defines a predetermined offline time during

which said mobile device has not been in a coverage area of said cellular network, and wherein data forwarding is started after expiry of said offline time. However, Risto discloses wherein said conditional access scheme defines a predetermined offline time during which said mobile device has not been in a coverage area of said cellular network, and wherein data forwarding is started after expiry of said offline time (col. 6 lines: 31-54, col. 7 line: 31--col. 8 lines: 3). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Dowling et al. and Baker et al. to specifically include wherein said conditional access scheme defines a predetermined offline time during which said mobile device has not been in a coverage area of said cellular network, and wherein data forwarding is started after expiry of said offline time as taught by Risto for the purpose of being more effective system when mobile is not in a coverage area.

Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling et al., and further in view of Risto (EP 0804012 A2).

Regarding claim 50. Dowling et al. discloses a computer program embodied on a computer readable medium, said computer program configured to perform:

encrypting data to be forwarded (¶: 74, Dowling et al. teaches encryption methods for packets of user-interest);

forwarding said data to a digital radio broadcast domain based upon a conditional access scheme to control one of a server device and a gateway device (¶: 74, Dowling et al. teaches broadcast domain entity through second link controller of said data);

however, Dowling et al. does not discloses specifically defining by said conditional access scheme a predetermined offline time during which said mobile device has not been in the coverage area of a cellular network; and starting said data forwarding after expiry of said offline time; nevertheless, Risto teaches having said conditional access scheme defines a predetermined offline time during which said mobile device has not been in a coverage area of said cellular network, and wherein data forwarding is started after expiry of said offline time (col. 6 lines: 31-54, col. 7 line: 31--col. 8 lines: 3).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Dowling et al. to specifically include wherein said conditional access scheme defines a predetermined offline time during which said mobile device has not been in a coverage area of said cellular network, and wherein data forwarding is started after expiry of said offline time as taught by Risto for the purpose of being more effective system when mobile is not in a coverage area.

Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling et al., and in view of Baker et al., and further in view of Makipaa et al. (US 20040203729 A1).

Regarding claims 24-26, Dowling et al. and Baker et al. do not specifically discloses having a server configure to assign a user internet protocol address to registration request and storing unit to store table or record in memory storage means of assigned address to identity of subscriber, nevertheless, Makipaa et al. teaches the server capable of assigning internet protocol address to be

associated with mobile device's ID and stored in a server. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to specifically include the server assigning internet protocol address combined with mobile device's ID in storage in server for later use, as taught by Makipaa et al. for the purpose of having readily available information about parameters of interest (¶: 26).

Consider claim 24. A server device according to claim 23, wherein said server device is configured to assign a public user address in response to said registration request (¶: 27, 33 Makipaa et al. teaches station id server receives request and assigns correct frequency information and network address).

Consider claim 25. A server device according to claim 24, wherein said public user address comprises one of an internet protocol address and an email address (¶: 27, 33, Makipaa et al. teaches that IP address can be assign for a particular bookmark).

Consider claim 26. A server device according to claim 24, further comprising: a storing unit configured to store a table linking an assigned public user address to said assigned mobile subscriber identity (¶: 26- 27, 33-34, IP address and subscriber identity are stored in a server device).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIEGO HERRERA whose telephone number is (571)272-0907. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Diego Herrera/
Examiner, Art Unit 2617

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617